

PATENT APPLICATION
Docket: 2408.3775US

HC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gregory N. Nordgren

For: CATHETER WITH VALVED DISTAL TIP

Serial No.: 09/542,503

Filing Date: April 3, 2000

Examiner: Anh Tuan Nguyen

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Art Unit
3763

TECHNOLOGY CENTER 3700

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TRANSMITTAL FOR FIRST SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

Sir:

Transmitted herewith pursuant to 37 C.F.R. §1.97 for filing relative to the above-captioned United States patent application is a First Supplemental Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. §1.98:

- ___ Statement of relevance of selected cited references not in the English language which are not translated.
- ___ Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.
- ___ Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. §120.

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. §1.98:

- ☒ Form PTO-1449 listing three (3) references submitted for consideration.
- ☒ Copies of three (3) of the references listed on the Form PTO-1449.
- ☐ Specimens constituting _____ () of the references listed on the Form PTO-1449.
- ☐ English translations of _____ () of the references listed on the Form PTO-1449 which are not in the English language.
- ☐ Copies of the following documents from the prosecution of a previous, related application:
 - ☐ Form PTO-1449 initialed by the Examiner; and
 - ☐ Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted First Supplemental Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

- I. ☒ Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action as verified in a telephone conference on November 19, 2001, with a Group Art Unit 3763 Customer Service representative. Accordingly, no materials other than those listed above are enclosed.

II. ___ Following the later of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed or authorized:

 ___ Promptness Certificate; or

 ___ The submission fee set forth in 37 C.F.R. §1.17 (p) in the amount of _____ \$180.00 is one (1) of the following:

 ___ Enclosed as Check No. _____; or

 ___ To be paid from the deposit account of the undersigned as authorized in Section C below.

III. ___ After the mailing of a final Office Action or a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed or authorized:

 ___ Promptness Certificate;

 ___ Petition for Consideration; and

 ___ The petition fee set forth in 37 C.F.R. §1.17(i)(1) in the amount of _____ \$130.00 is one (1) of the following:

 ___ Enclosed as Check No. _____; or

 ___ To be paid from the deposit account of the undersigned as authorized in Section C below.

IV. _____ After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are enclosed or authorized:

_____ To withdraw the above-captioned application from issue, the following are enclosed:

_____ Petition to Withdraw from Issue; and

_____ The petition fee set forth in 37 C.F.R. §1.17(i)(1) in the amount of _____ \$130.00 is one (1) of the following:

_____ Enclosed as Check No. _____; or

_____ To be paid from the deposit account of the undersigned as authorized in Section C below.

_____ To proceed with further prosecution, the following are enclosed:

_____ Request for Continued Examination; and

_____ The fee for requesting continued examination set forth in 37 C.F.R. §1.17(e) in the amount of _____ \$710.00 is one (1) of the following:

_____ Enclosed as Check No. _____; or

_____ To be paid from the deposit account of the undersigned as authorized in Section C below.

_____ The submission fee set forth in 37 C.F.R. §1.17(p) in the amount of _____ \$180.00 is one (1) of the following:

_____ Enclosed as Check No. _____; or

_____ To be paid from the deposit account of the undersigned as authorized in Section C below.

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 20-1469.

- ☒ Any fee required in relation to filing of this letter or any documents transmitted therewith.
- ☐ The submission fee set forth in 37 C.F.R. §1.17(p) in the event that 37 C.F.R. §1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. §1.97(e)
- ☐ The submission fee set forth in 37 C.F.R. §1.17(p).
- ☐ The petition fee set forth in 37 C.F.R. §1.17(i)(l).
- ☒ Copies in duplicate of this letter are enclosed.

DATED this 20th day of November, 2001.

Respectfully submitted,



KENT S. BURNINGHAM
Attorney for Applicant
Registration No. 30,453

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In re application of:)	
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For: CATHETER WITH VALVED DISTAL TIP)	Art Unit
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Serial No.: 09/542,503)	
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Examiner: Anh Tuan Nguyen)	

FIRST SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §§1.97 and 1.98(a)(1), transmitted herewith is a Form PTO-1449 containing a list of all patents, publications, or other references that have come to the attention of one or more of the individuals identified in 37 C.F.R. §1.56(c) since the filing of the Information Disclosure Statement dated January 18, 2001, in this matter. While no representation is made that any of these references may be “prior art” within the meaning of that term under 35 U.S.C. §102 or §103, the transmitted list of references is disclosed in compliance with the duty of disclosure set forth in 37 C.F.R. §1.56.

No representation is made that a specific search of office files or Patent Office records has been conducted, or that no better art exists. Nevertheless, the undersigned attorney of record believes that the transmitted references in combination with those previously submitted or previously made of record by the Examiner constitute art that is the closest to the claimed invention taken in its entirety of which the undersigned is presently aware, and no art which is closer to the claimed invention taken in its entirety has been knowingly withheld.

The references listed on the transmitted Form PTO-1449 are below classified for the convenience of the Examiner in one of the following category of references set forth for differing treatment in accordance with the subsections of 37 C.F.R. §1.98.

I. NEWLY CITED ENGLISH LANGUAGE REFERENCES

The following of the references listed on the transmitted Form PTO-1449 are in the English language and have not to the knowledge of the undersigned attorney been previously submitted to or cited by the United States Patent and Trademark Office:

1. United States Patent Documents

<u>Patent No.</u>	<u>Issue Date</u>	<u>Patentee</u>
4,850,969	07/25/89	Jackson
5,810,789	09/22/98	Powers et al.

2. Foreign Patent Documents

<u>Country</u>	<u>Document Number</u>	<u>Date</u>
Europe	547,463	06/23/93

3. Other References

-- none --

Pursuant to 37 C.F.R. §1.98(a)(2), a copy of each of the above-listed references is enclosed.

DATED this 20th day of November, 2001.

Respectfully submitted,



KENT S. BURNINGHAM
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CERTIFICATE OF HAND DELIVERY

I certify that the correspondence listed below is being hand delivered to Group Art Unit 3763
on November 21, 2001.


NOREEN A. FABEAN

Transmitted: Transmittal for First Supplemental Information Disclosure Statement (5 pages)
First Supplemental Information Disclosure Statement (3 pages)
Form PTO-1449 (1 page)
Copies of three (3) references
Postcard

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